GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Endowments Department – Sri Kalahasteeswara Swamyvari Devasthanam, Srikalahasti, Chittoor District - Sale of temple lands in Valluru village of Ponneri Taluk, Tamil Nadu in favour of Sri N. Sudhakar Reddy through private negotiations – Cancellation of G.O.Ms.No.686 Revenue (Endts.II) Department dated 14-08-1996 – Orders – Issued.

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REVENUE (ENDTS.II) DEPARTMENT

G.O. Ms. No.447 **Dated:20 -11- 2015**

Read the following:

1) G.O.Ms.No.686, Revenue (Endts.II) Department, Dt.14.08.1996.
2) Orders of Fast Track Court -IV at Ponneri dated 10-03-2014 in O.S.No.228/2007.
3) From Commissioner, Endts. Lr. in Rc.No.M1/30052/2012, dated 24.06.2015.

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ORDER

Sri Kalahasteeswara Swamyvari Devasthanam, Srikalahasti, Chittoor District is having Ac.24.25 cents of dry land in Sy. Nos. 281, 282, 366-1 and 366-3 in Valluru Village of Ponneri Taluk, Chengai, MGR District, Tamil Nadu State.

2. The Government of Andhra Pradesh accorded permission to the Commissioner, Endowments Department to sell the land through tender-cum Public Auction vide G.O.Ms.No. 1037 dated 15-11-1991.

3. The Public Auction was planned to be conducted on 18-12-1995 at Ponneri, but was postponed for want of proper bid. Auction was again held at Srikalahasti on 22-1-1996. The highest bid offered was lower than the market price and hence the auction could not be concluded. Auction was held a third time at Srikalahasti on 15-2-1996. On this occasion also the highest bid was lower than the reserve price and as such the auction was postponed.

4. At that stage one of the participants in the auction Sri N.Sudhakar Reddy came forward to purchase the said land @ Rs. 1,01,000/- per acre. He also gave a D.D. for Rs.5,00,000/- (Rupees Five Lakhs only) in favour of the Devasthanam towards security deposit.

5. The Trust Board of the Devasthanam in its meeting on 24-2-1996 gave consent to the proposal.

6. In the reference 1st read above Government issued orders for sale of this land on 14-08-1996. Mr. Sudhakar Reddy did not pay the balance amount and conclude the sale.

7. As the Devasthanam officials repeatedly failed to persuade Mr. Sudhakar Reddy to pay the balance amount, a telegram was issued on 9-6-1997 to Sri N.Sudhakar Reddy instructing him to pay the balance amount and get the land registered. But he did not respond.

8. While the matter stood thus, one Sri V.Subramani of Meenjuru Village who was earlier a lease holder of the land, filed a suit against Devasthanam and also impleaded the Commissioner, Endowments Department of A.P *as* first defendant in O.S.No. 268/1996 in District Munisiff Court, Ponneri praying for permanent Injunction against Devasthanam from interfering with his possession and enjoyment of the said property until he is evicted by due process of law. He even obtained an interim injunction.

9. The Devasthanam contested this order, but the suit was decreed in favour of Sri V.Subramani on 20-7-2004. The Devasthanam preferred an appeal to the Court of Subordinate Judge at Ponneri in A.S.No.12/2005 and the appeal was allowed on 22-12-2006 and the judgement and decree of District Munsiff Court in O.S.No. 268/1996 was set aside.

10. Sri V.Subramani filed an appeal in the High Court of Madras in S.A.No. 175/2008. This appeal is still pending.

11. Meanwhile noticing that the Devasthanam property had appreciated tremendously and with a view to take undue advantage of this appreciation in property value, after a lapse of 10 years, Sri N.Sudhakar Reddy issued a patently unfair legal notice on 28-10-2006 through his Advocate to the Devasthanam. He demanded the Executive Officer to receive the balance amount and execute the Registered sale deed in his favour. A reply was given to the Advocate of Sri N.Sudhakar Reddy on 12-12-2006 by the Devasthanam stating that it was not possible to register the Devasthanam property after lapse of such a long period of time. The successful bidder is expected to pay the full sale consideration and register within the prescribed period. Mr. Sudhakar Reddy had completely violated the letter and spirit of the offer of sale by ignoring the transaction for ten long years.

12. He filed O.S.No.228/2007 before the District Court, Thiruvalluru to direct the Executive Officer, Srikalahasti to execute the sale deed in his favour. The Court passed an ex-parte decree against the Devasthanam on 19-11-2007.

13. The Devasthanam filed an appeal for condonation of the delay and to set aside the exparte decree. The Fast Track Court -IV at Ponneri on 10-3-2014 decreed in favour of Devasthanam, observing that there is no concluded contract between the temple and Sri N.Sudhakar Reddy and stated that the suit is barred by limitation. The Court also clearly noted that Sri N.Sudhakar Reddy is not entitled to any relief as claimed for. The Devasthanam has also filed a Caveat petition No. 2472/2014 on 6-6-2014.

14. In these circumstances, the Commissioner, Endowments has requested the Government to take action for cancellation of the G.O.Ms.No.686 Revenue (Endts-ll) Department dated 14-6-1996 and to confiscate the security deposit amount to the Devasthanam, as the period of negotiations lapsed several years ago and there is no concluded contract between the Devasthanam and Sri N.Sudhakar Reddy and the suit is barred by limitation and he is not entitled to any relief.

15. Government have carefully examined the matter and hereby cancel the orders issued in G.O.Ms.No.686 Revenue (Endts-II) Department dated 14-6-1996 with immediate effect. The Commissioner, Endowments is directed to confiscate the security deposit amount to the Devasthanam.

16. The Commissioner, Endowments and the Executive Officer, Srikalahasti are directed to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.S.V. PRASAD
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Endowments Department, A.P. Hyderabad.
The Regional Joint Commissioner-II, Endowments Department, Chittoor.
The Executive Officer, Sri Kalahasteeswara Swamyvari Devasthanam, Srikalahasti, Chittoor District.
Sri N. Sudhakar Reddy, through Commissioner, Endowments.

Copy to
P.S. to M(Endts.)

// FORWARDED :: BY ORDER //

SECTION OFFICER